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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women
Sixty-first session

Summary record of the 1313th meeting
Held at the Palais des Nations, Geneva, on Friday, 10 July 2015, at 10 a.m.

Chairperson: Ms. Hayashi

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Combined seventh and eighth periodic reports of Viet Nam

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of the present document* to the English Translation Section, room E.6040, Palais des Nations, Geneva (trad_sec_eng@unog.ch).

Any corrections to the records of the public meetings held during this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.15-11893 (E) 200715 210715

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The meeting was called to order at 10.05 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Combined seventh and eighth periodic reports of Viet Nam (CEDAW/C/VNM/7-8; CEDAW/C/VNM/Q/7-8 and Add.1)

1. *At the invitation of the Chairperson, the delegation of Viet Nam took places at the Committee table.*

2. **Mr. Doan** Mau Diep (Viet Nam) said that Viet Nam was committed to the elimination of all forms of discrimination against women and had developed a number of laws, policies and programmes in that regard. The Constitution, which had been amended in 2013, now stated that men and women were equal and prohibited gender-based discrimination. Moreover, maternity leave had been extended and sexual harassment had been banned under the revised Labour Code, wives enjoyed equal ownership of land under the revised Law on Land and spouses enjoyed equal rights and obligations in relation to common property under the revised Law on Marriage and Family. The Government had adopted various strategies, programmes and action plans with a view to empowering women, such as the National Strategy on Gender Equality 2011-2020 to ensure women's equal participation in politics, economics, culture and society and the National Programme on Gender Equality 2011-2015 to raise awareness of gender equality and women's rights. Efforts had been made to reduce maternal mortality, protect and empower ethnic minority women, combat domestic violence, and prevent children, particularly girls, from dropping out of school. As a result of those efforts, in 2012, Viet Nam had ranked 47th out of 187 countries according to the Gender Inequality Index, compared to 58th out of 136 countries in 2010.

3. All draft legislation was required to undergo gender auditing by the Committee on Social Affairs of the National Assembly, and 80 per cent of legal documents incorporated a gender perspective. With regard to political participation, 25 per cent of the members of the National Assembly were women, 50 per cent of ministries and government agencies were headed by women and 60 per cent of the provinces had female leaders. As to employment, women had filled 49 per cent of the jobs created between 2011 and 2015 and had the same unemployment rate as men.

4. Female students outnumbered male students from lower secondary education up to post-secondary education, and the percentage of women enrolled in higher education was on the rise. The Government had made considerable efforts to ensure that women enjoyed equal access to health care, particularly during pregnancy and childbirth, and special attention was given to women from ethnic minorities and remote areas. Efforts to reduce maternal mortality ratios had been successful, and Viet Nam had achieved Millennium Development Goal 5 (Improve maternal health).

5. Of the 1.8 million rural workers who had received vocational training between 2010-2014, 49 per cent had been women. Moreover, 80 per cent of women who were heads of households in need had access to low-interest loans through various credit schemes.

6. With regard to gender equality in family life, according to a joint survey conducted in 2014 by the Ministry of Labour, Invalids and Social Affairs and the Institute for Family and Gender Affairs, more than 64 per cent of the respondents had reported that men were devoting more time to housework. Moreover, the Government had stepped up efforts to combat domestic violence and to provide legal aid and support services to victims of such violence.

7. Although Viet Nam had made significant progress in the promotion of gender equality, it still faced many challenges, including deep-rooted cultural attitudes and discriminatory mindsets, the persistence of gender gaps and gender-based violence, particularly in remote areas, and a lack of financial resources to support government initiatives. It was nevertheless committed to implementing the Convention on the Elimination of All Forms of Discrimination against Women and looked forward to a constructive dialogue with the Committee on the Elimination of Discrimination against Women and the resulting recommendations.

Articles 1 to 6

8. **Ms. Patten** commended the Government on having involved various stakeholders, including non-governmental organizations (NGOs), in the preparation of its seventh and eighth periodic reports (CEDAW/C/VNM/7-8). She asked whether the reports had been submitted to the Vietnamese parliament and whether the concluding observations of the Committee would be submitted to the parliament as well. Did Viet Nam intend to adopt a national action plan on implementation of the concluding observations? She wished to know whether ratification of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women was envisaged and whether the delegation could provide the Committee with a time frame in that regard.

9. The exact definition of "discrimination against women" under the Gender Equality Law should be clarified, as the Committee was concerned that it was limited to social and family life and not in line with the definition set forth in the Convention. Had Vietnamese courts interpreted the definition laid down in the law?

10. She asked whether Viet Nam planned to repeal discriminatory provisions relating to women's occupations and age of retirement and said that the Committee would welcome an update on the legislation under review and a time frame for the amendment or repeal of those laws. Was the Government allocating adequate financial and human resources to support effective implementation of its gender laws and policies? What steps were being taken to raise women's awareness of existing legislation? She asked whether the Government had any data on the number of cases of discrimination against women and what concrete measures had been taken to ensure women's access to justice. Did Viet Nam have a comprehensive legal aid system? The Committee was concerned that the judiciary was not paying enough attention to the application of the Gender Equality Law and wished to know if relevant training was being provided to the judiciary and law enforcement officials.

11. **Mr. Doan** Mau Diep (Viet Nam) said that the State party's report had been submitted to the Committee on Social Affairs of the National Assembly for review prior to its submission to the Committee on the Elimination of Discrimination against Women. Once the Committee's recommendations had been received, they would be presented to the Prime Minister and incorporated into an action plan. Viet Nam was committed to making gender equality and non-discrimination a reality and was considering the possibility of ratifying the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. However, the delegation could not provide the Committee with a specific time frame for the adoption and ratification of the Optional Protocol, as any proposal would have to be submitted to the Government and then to the National Assembly for approval.

12. **Mr. Nguyen** Van Binh (Viet Nam) said that in 2011 the Supreme Court had developed a strategy to promote gender equality and non-discrimination in the judiciary and provided judges with training on administering justice in gender-related cases. Similarly, prosecutors received training on prosecuting offences related to gender-based discrimination.

13. The definition of "discrimination against women" contained in article 5, paragraph 5, of the Gender Equality Law was a broad definition. Under the Constitution of 2013, gender-based discrimination was prohibited, and men and women enjoyed equal rights in all fields of life.

14. **Mr. Doan** Mau Diep (Viet Nam) said that the Gender Equality Law had been adopted prior to the amendment of the Constitution and that if necessary, it would be revised to ensure its consistency with the amended Constitution and the Convention.

15. Harmonization of the retirement age was a complicated matter, as any amendment to the Labour Code would require consultation with the relevant stakeholders. According to a survey conducted by the Ministry of Labour, Invalids and Social Affairs, 80 per cent of workers wished to maintain the five-year gap between the retirement age for women and the retirement age for men and only 20 per cent wished to eliminate it. The list of occupations from which women were barred had been established in the 1970s and the number of such occupations had already been reduced from 70 to 30. Women were barred from occupations that were deemed hazardous to them, but any occupation that was no longer deemed hazardous to women would be removed from the list.

16. **Mr. Bach** Quoc An (Viet Nam) said that Viet Nam would be reviewing its laws, by-laws and regulations to ensure their compatibility with the Constitution of 2013. With regard to access to justice for women, in 2013-2014 legal aid had been provided in 267,000 cases, 128,000 of which had involved women.

17. **Ms. Zou** Xiaoqiao, referring to legal aid, said that Circular No. 07/2011/TT-BTP of 2011 had stated that priority should be given to certain groups, such as women survivors of domestic violence, trafficking, exploitation and sexual abuse, but that those groups had not been included in Circular No. 11/2014/TT-BTP of 2014.

18. **Ms. Patten** said that not enough attention was paid to vulnerable groups of women, such as women with disabilities, elderly women and ethnic minorities, and asked what steps were being taken to eliminate all forms of discrimination against them. She asked whether there were any laws or policies protecting women human rights defenders from reprisals and for an update on the status of women human rights defenders who had allegedly been arbitrarily arrested and were currently in detention.

19. **Mr. Doan** Mau Diep (Viet Nam) said that in June 2015, Viet Nam had ratified the United Nations Convention on the Rights of Persons with Disabilities, and drawn up a national action plan. The Government provided many programmes for persons with disabilities, including a well-funded vocational training programme.

20. The Government of Viet Nam had a special regard for older persons; reverence for older persons was a Vietnamese tradition. Older persons without means received monthly allowances; displaced older persons lived in care centres. There were plans to do much more for the older population; that would depend on the availability of budget resources.

21. Viet Nam was a country of 53 nations; there was no discrimination against ethnic minorities. Many resources were devoted to populations living in remote areas populated by such minorities. Campuses had been built to house children whose schools were far from their homes; on weekends they returned to their families. Progress had been made in combating child labour; programmes were under way to keep children in school, and out of the fields and streets, but that goal had not yet been fully achieved.

22. **Mr. Bach** Quoc An (Viet Nam) said that Circular No. 07/2011/TT-BTP had been replaced by Circular No. 11/2014/TT-BTP, which granted legal aid to all without restrictions.

23. **Mr. Doan** Mau Diep (Viet Nam) said that Vietnamese law contained no provisions to protect human rights defenders. Only activists that caused social unrest were subject to legal measures; he knew of no cases of women activists who had been punished.

24. **Ms. Nadaraia** said that the combined seventh and eighth periodic reports of Viet Nam, together with its replies to the Committee's list of issues, demonstrated that that country had made substantial progress in the achievement of women's rights, by setting up a national legal framework and designing a strategy for the implementation of gender equality. It seemed, however, that there were three separate bodies responsible for that task: the National Committee for the Advancement of Vietnamese Women, the Viet Nam Women's Union, and the Ministry of Labour, Invalids and Social Affairs. Having several institutions tackle the same task was problematic; the report did not explain how those three entities coordinated and shared the work, whether there were sufficient budgetary funds and human resources for all of them, or whether measures were taken to strengthen their capacities.

25. The report also lacked information on any measures taken to improve data collection.

26. **Ms. Haidar** said that the replies of Viet Nam to the list of issues contained a list of "temporary special measures"; it showed, however, a misunderstanding of the meaning of that term. Citing the Committee's general recommendation No. 25 on article 4, paragraph 1 of the Convention, she said that paragraph 1 of article 4 called for measures to accelerate the attainment of equality, whereas paragraph 2 provided for general measures of a permanent nature. Although the delegation had invoked its National Strategy on Gender Equality 2011-2020, alternative reports cited many types of discrimination against women in Viet Nam.

27. She asked what educational, health and employment measures were in place for women, in particular rural women and women from ethnic minorities.

28. **Mr. Doan** Mau Diep (Viet Nam) said that the Women's Union was a non-governmental organization of long standing. On becoming a State party to the Convention, Viet Nam had set up a Department for Gender Equality within the Ministry of Labour, Invalids and Social Affairs, thereby transferring responsibility for promoting gender equality from a non-governmental to a governmental entity, which played the lead role in that multi-ministerial task. The National Committee for the Advancement of Vietnamese Women had been established to advise and coordinate the work of the ministries concerned. Each of the latter presented an annual budget plan for their work on the advancement of women. Although members of the Women's Union paid dues, the Government covered a part of its budget.

29. In addition, the budget of the National Strategy on Gender Equality funded gender-equality training for the staff members of the ministries, and for members of the relevant civil society organizations.

30. The General Statistics Office conducted surveys to gather statistics for use by the ministries. The Ministry of Labour, Invalids and Social Affairs issued quarterly updates on the labour market, showing figures on male and female employment rates. On the basis of the Committee's recommendations, the Government would expand the applicable indicators.

31. **Mr. Nguyen** Van Binh (Viet Nam) said that many temporary special measures had been established to promote gender equality in the workplace, including protection against dismissal during maternity leave and during child-rearing years, and time allotted for breastfeeding and rest. Draft decrees had been prepared and submitted for review. Among other measures, incentives would be granted to

companies for hiring more female workers and priority would be given to women candidates for jobs. In addition, inspection measures would be strengthened to ensure compliance with those and other regulations.

32. **Ms. Pham** Thanh Binh (Viet Nam) said that three categories of persons were targeted by temporary special measures in the area of health care: persons with HIV/AIDS, older persons, and persons living in poverty. Under the HIV/AIDS programme, support was given to families of persons with that illness. Circulars had been issued giving guidance on preventing HIV infection, and announcing compulsory HIV testing. A circular had also been issued with regard to care for older persons and by 2016 all poor persons would have access to free health services, with a choice between local and centralized services.

33. On another question, she said that a dedicated radio channel had been set up for sharing policy information with members of ethnic minorities.

34. **Mr. Tran** Kim Tu (Viet Nam) said that assistance was given to children living in difficult regions, to enable them to attend school: for example, kindergarten pupils benefited from lunch subsidies and children of ethnic minorities attending school away from home were given housing and education grants. The boarding school system allowed students to spend Monday to Friday at school; they then returned to their family homes on weekends. However, many children attended school far from their homes.

35. Ethnic groups with more than 300 members received many special benefits, including transportation grants and university scholarships. There were members of ethnic minorities throughout the Government, including at the ambassadorial and ministerial levels. All ethnic groups were equal; those in difficult situations received subsidies and other forms of support.

36. **Ms. Haidar** said that all the measures cited were general social policies, as called for in article 4, paragraph 2 of the Convention. She had learned of no particular policies that would qualify as temporary special measures, as provided for in article 4, paragraph 1, which were measures to accelerate the attainment of equality between men and women.

37. **Mr. Doan** Mau Diep (Viet Nam) said that the Government's understanding of temporary special measures perhaps differed from that of the Committee. However, the delegation would read general recommendation No. 25 more carefully and the State would take the input of the Committee into account when implementing the National Action Plan.

38. **Ms. Nadaraia** said that she would appreciate more information on the involvement of women's organizations and groups in the implementation of national policies and measures on gender equality. She wondered whether the Government was open to cooperating with a broader spectrum of women's organizations in addition to the ones already mentioned in the State party's report.

39. **Mr. Doan** Mau Diep (Viet Nam) said that a number of organizations, including the Women's Union, were invited to cooperate with the Government in the drafting of laws and legal documents pertaining to gender equality. Many State ministries also encouraged the participation of such organizations in the development and implementation of laws, programmes and policies related to the same issue.

40. **Ms. Hofmeister** said that patriarchy continued to prevail in Viet Nam, as indicated by the strong preference for sons in society and the imbalance in the sex ratio at birth owing to female foeticide. She asked whether efforts had been undertaken to change patriarchal attitudes, and whether programmes had been initiated in rural areas in particular to stop female foeticide, the death of young girls as a result

of undernourishment, and other harmful practices, including incest, early marriage and early pregnancy.

41. **Ms. Zou** Xiaoqiao said that, according to alternative sources, more than half of all Vietnamese women fell prey to emotional, physical or sexual domestic violence in their lifetime. Violence against women in public places and among young people were also serious issues that needed to be addressed in the State party. Another concern was that reconciliation was often used as a means of addressing domestic violence, particularly at the grass-roots level, which resulted in a low rate of women reporting such cases and, consequently, a low conviction rate. The fact that perpetrators thus remained unpunished would ultimately conduce to the commission of more serious acts of violence against women.

42. The Committee wished to know whether programmes and training courses were available to raise awareness of violence against women among law enforcement officials, members of the judiciary, and women themselves; whether measures were in place to prohibit the use of reconciliation as a means of resolving cases of domestic violence; how women were encouraged to report such violence; and what steps had been taken to implement the Committee's recommendation to research gender-based violence in order to improve the way in which State intervention was targeted.

43. As far as support services were concerned, shelters for victims of domestic violence were heavily dependent on foreign donors and those who worked in such services often lacked specialized knowledge and skills. Had the Government allocated a specific budget to improve the quality of support services, and were educational capacity-building programmes available for service providers?

44. **Ms. Jahan** said that the delegation should indicate whether the definition of trafficking in the Law on Human Trafficking would be brought into line with the definition contained in the Palermo Protocol, and whether the Law on Vietnamese guest workers would be revised to make it more gender-sensitive. With regard to victim identification, protection and rehabilitation, most female victims escaped from exploitation before the crime was officially registered in the destination country, which meant that they were denied assistance as, under the law, victims had to be recognized by the authorities in both the source and the destination country before they were offered statutory assistance. Victim identification needed to be strengthened through clear guidelines, training of law enforcement officials, and an adequate budget. Comments would be appreciated on whether the State party intended to develop a national mechanism for victim support, on measures taken to provide support services in rural areas and to improve witness protection in order to encourage victims to report cases of trafficking, on efforts undertaken by foreign embassies to prevent the trafficking of newborn babies and the trafficking of women through so-called international marriages, and on measures to simplify the administrative process for obtaining permanent residence for children of trafficked women seeking to return to Viet Nam.

45. Another area of concern was the fraudulent measures used by employment agencies to hire women. She asked how the Government monitored or sanctioned such agencies.

46. In reference to prostitution, alternative sources suggested that the number of prostitutes in Viet Nam was higher than the figure provided by the State party. She wondered what was being done to improve the economic situation of girls so that they did not have to resort to prostitution, particularly in the case of girls in rural areas, and how the Government addressed the issue of reintegrating former prostitutes into society.

47. **Mr. Doan** Mau Diep (Viet Nam) said that it was true that Viet Nam was to some extent a patriarchal society. Children were often considered as pension funds owing to the fact that many Vietnamese did not receive pensions which, in turn, led to the preference for boys over girls. The Government had prohibited clinics from revealing the sex of foetuses in an attempt to prevent foeticide under the national programme aimed at reducing the imbalance in the sex ratio at birth. Another programme had been launched to improve social security and a voluntary insurance scheme had been introduced as well.

48. The State also provided financial assistance to the most vulnerable groups in society so that they could enjoy a pension when they retired. Such groups included women in the informal sector, ethnic minorities and people living in remote areas. Moreover, the Government had launched a media campaign aimed at giving women more of a voice in political and family life, and subsidies had been introduced for families with single-sex children; the main beneficiaries of the subsidies were families composed of parents with daughters only.

49. **Mr. Bach** Quoc An (Viet Nam) said that the Criminal Code was currently being revised to take account of the Convention by strengthening provisions on the trafficking of women and children. In addition, a circular was currently being drawn up as a guide to the implementation of victim assistance. Since 2012, five training courses had been held for members of the judiciary and law enforcement officials on the topic of relevant international human rights treaties, such as the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Palermo Protocol). Furthermore, programmes to prevent trafficking had been aligned with socioeconomic development schemes and agreements had been signed with other countries to increase international cooperation in that field.

50. **Mr. Doan** Mau Diep (Viet Nam) said that the Ministry of Labour, Invalids and Social Affairs had set up hotlines in two border regions and in certain provinces so that people could report cases of trafficking and sexual abuse. A project had also been launched to train social workers in providing advice to the most vulnerable groups in society. Other measures taken to prevent vulnerable women from being exploited included a funding programme for disadvantaged women from ethnic minorities with newborn babies, and a pilot programme that involved offering financial assistance to disadvantaged families so that they could send their daughters to school, and ensuring that pregnant women received health check-ups. The pilot programme had been introduced in six provinces and would later be replicated nationwide.

51. **Mr. Nguyen** Van Binh (Viet Nam) said that the Criminal Code provided for strict sanctions against persons who directly or indirectly forced women into prostitution, and against the clients of young female prostitutes. A new approach to the issue of prostitution had been taken in 2014, laying emphasis on offering support services to women who no longer wished to work as prostitutes. More than 1,000 initiatives had been introduced across various provinces in Viet Nam to assist former sex workers in reintegrating into communities. Non-governmental organizations were also encouraged by the State to help such women in their endeavours to start a new life.

52. **Mr. Doan** Mau Diep (Viet Nam) said that it was difficult to obtain reliable statistics concerning the number of prostitutes because the practice was considered taboo and women were therefore unwilling to declare themselves as prostitutes. However, legal advice, psychological assistance, vocational training and low-interest loans were available to women who no longer wished to work as prostitutes.

53. **Ms. Jahan** said that she would appreciate information on the issue of the exploitation of Vietnamese women who acted as surrogate mothers for clients both within the State party and abroad.

54. **Mr. Bach** Quoc An (Viet Nam), responding to a question asked earlier by Ms. Zou Xiaoqiao, said that communities preferred to resolve conflicts amicably and that reconciliation was the traditional method for doing so. Reconciliation could be used to resolve many kinds of dispute, including domestic disputes, and was always voluntary. It was true that reconciliation was used to resolve many cases of domestic violence. Social workers had a role in helping the parties concerned to find a solution that would preserve the integrity of the family structure. While the reconciliation method had proven to be largely successful, cases of domestic violence could still be brought before the courts.

55. The Law on Marriage and Family set out the conditions governing the practice of surrogacy. If Vietnamese women acted as surrogate mothers for foreign nationals, they did so outside the national territory. The Government facilitated the return of Vietnamese women who had acted in that capacity abroad and provided them with the necessary assistance. Upon their return to Viet Nam, the children born to Vietnamese mothers abroad were registered and provided with a permanent residency document.

56. **Mr. Doan** Mau Diep (Viet Nam) said that, upon repatriation, female victims of trafficking were sent to temporary shelters where they underwent a medical examination and were given psychological support by social workers. The Government covered the cost of their stay in the shelter and referred them to vocational training centres to facilitate their search for employment when they returned to their hometown. Moreover, employers were instructed to give special consideration to female victims of trafficking when making recruitment decisions.

57. The Government had set up a dedicated website providing Vietnamese guest workers with information on trustworthy recruitment agencies, the permits required to work abroad and employment contracts. Potential guest workers were advised to accept employment only from recruitment agencies and companies listed on the website and to report any unlawful activity. Government representatives were posted to countries where there were large numbers of Vietnamese guest workers to provide consular assistance. However, despite the Government's efforts to protect guest workers, a considerable number had still been deceived into accepting fraudulent job offers from unregistered companies. The Government intended to strengthen the safeguards in place against such unlawful activity.

Articles 7 to 9

58. **Ms. Leinarte** said that the State party was to be commended on having developed a robust legal framework to ensure that women were adequately represented in the public and political life of the country. Women accounted for 24 per cent of the deputies of the National Assembly, which was higher than the current Asian average. However, women were poorly represented in the People's Councils. The Committee was pleased to note that 50 per cent of government ministries and agencies had appointed women to key decision-making positions but regretted that women held only 7 per cent of director positions. In addition, there were still far too few women serving as ambassadors in the diplomatic service. Noting that the National Strategy on Gender Equality for 2011-2020 included a target to increase the proportion of women participating in the Party Committee during the term 2016-2020 to over 25 per cent, and the proportion of female deputies in the National Assembly and People's Councils to over 35 per cent during the term 2016-2020, she asked what temporary special measures had been adopted to help achieve that target.

59. Despite the above-mentioned legal framework and the issuance of a decree prescribing penalties for civil servants who failed to comply with legislation to promote gender equality, the participation of women in the public and political life of the country remained limited, primarily on account of the patriarchal attitudes that continued to pervade Vietnamese society. She asked what measures the State party envisaged taking to change patriarchal attitudes and behaviour patterns in Vietnamese society; whether awareness-raising campaigns targeting senior government officials had been launched; whether those officials had been provided with special training on gender equality; whether leadership training was available to female candidates to elected bodies; whether civil society organizations could operate without restriction in the State party; and whether perpetrators of attacks against women's rights activists were systematically prosecuted and punished.

60. **Ms. Zou** Xiaoqiao said that the Committee welcomed the steps taken by the State party to prevent and reduce statelessness, including through the reform and implementation of the newly amended Nationality Law of 2008. Under that law, more than 2,000 stateless women had been granted Vietnamese nationality in 2013. However, there were still some 800 stateless women residing in the national territory who, having renounced their Vietnamese nationality, were at a greater risk of falling victim to human trafficking and arbitrary detention and often struggled to exercise their basic rights. She asked what measures the State party had taken to expedite the process of granting those women Vietnamese nationality and whether it had decided to ratify the Convention relating to the Status of Stateless Persons and the Convention relating to the Status of Refugees, as recommended during the universal periodic review pertaining to Viet Nam in 2009.

61. The Committee had received reports that female asylum seekers and refugees were often denied access to employment, education and health care. She requested the delegation to comment on those reports and to provide additional information on the general situation of female asylum seekers and refugees in Viet Nam. The State party should refer to the Committee's general recommendation No. 32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women for guidance on how to fulfil its obligations and to guarantee the rights of those women under the Convention.

62. **Mr. Pham** Ngoc Tien (Viet Nam) said that the Law on the Election of National Assembly Deputies provided that women should account for at least 35 per cent of electoral candidates. In 2015, the National Committee on the Advancement of Women and the Women's Union had launched campaigns to raise public awareness of the important role played by women in the political life of the country. Leadership training had also been dispensed to female electoral candidates.

63. **Mr. Bach** Quoc An (Viet Nam) said that the Government had made significant progress in reducing statelessness in the national territory. Vietnamese nationality could not yet be granted to the 800 stateless women referred to previously, as they did not possess the necessary proof of identity. In such cases, the Vietnamese authorities contacted the competent authorities in the woman's country of origin to verify her identity. The Nationality Law provided that stateless persons living in Viet Nam were entitled to apply for Vietnamese nationality and that, once they had done so, the Government had a responsibility to guarantee their rights.

64. **Mr. Pham** Ngoc Tien (Viet Nam) said that the Government was currently examining the possibility of ratifying the Convention relating to the Status of Stateless Persons and the Convention relating to the Status of Refugees but that it first needed to consolidate its legal framework in order to be able to fulfil its obligations under those instruments.

Articles 10 to 14

65. **Ms. Haidar** said that, despite the State party's efforts to improve access to education for all girls in Viet Nam, many girls from ethnic minority or disadvantaged backgrounds still struggled to access good-quality education. The education-related objectives of the action plan for gender equality covering the period 2012-2015 were to be commended. She asked how the implementation of that action plan was monitored and evaluated; whether sufficient budgetary resources had been allocated to support its implementation; and what progress had been made towards achieving the objectives to date.

66. She also wished to know what steps the State party had taken to remove gender-based stereotypes from textbooks and other learning materials; how the State party guaranteed girls access to the technical and vocational training required for jobs that were traditionally performed by boys; and whether the State party had taken steps to improve its methodology for collecting and analysing data disaggregated by sex. Noting that the literacy rate of girls from ethnic minority backgrounds was extremely low and that no budgetary resources were available for literacy programmes, she wished to know whether the State party had considered educating those girls in their mother tongue so that they were not deprived of an education.

67. **Mr. Bruun** said that the State party was to be commended on having ratified the International Labour Organization (ILO) Discrimination (Employment and Occupation) Convention, 1958 (No. 111) and on having adopted a new Labour Code in 2012 prohibiting gender-based discrimination. However, the Committee was concerned that such laws could be difficult to enforce in practice owing to the absence of an effective oversight mechanism. While the level of female participation in the labour market was high, a significant gender-wage gap continued to exist. He asked what measures the State party was taking to remedy that disparity. The Committee had received reports that discriminatory recruitment practices often prevented women from securing employment and that women were still precluded from performing certain jobs, which limited their participation in the job market and their earning potential. He asked whether the State party had considered revising the legal provisions that could lead to women being discriminated against or being placed at a disadvantage in the employment sector.

68. Noting that the new Labour Code prohibited sexual harassment in the workplace but that it did not prescribe penalties or define employers' responsibilities in such cases, he asked whether the State party intended to address those lacunae; whether the Labour Code contained a clear definition of sexual harassment; how many cases of sexual harassment had been reported since the entry into force of the new Labour Code; and whether it provided for a complaints mechanism. Lastly, he wished to know what the State party was doing to protect the large number of female migrant workers who were currently working as domestic workers in Viet Nam and whether the State party was planning to ratify the ILO Domestic Workers Convention, 2011 (No. 189).

69. **Ms. Arocha Domínguez** said that the Committee welcomed the significant progress made by the State party in improving women's access to health care and, in particular, to maternity and infant health care. Noting that the general maternal mortality rate had decreased significantly in Viet Nam in recent years, she asked whether it had also decreased in rural and mountainous areas inhabited by ethnic minorities. If that was not the case, how did the State party intend to address that problem? She asked whether the State party planned to transform the temporary special measures that it had taken to improve women's access to health care and raise awareness of women's health issues into measures of a more long-term nature.

70. The Committee had received reports that many women did not receive the requisite number of prenatal check-ups, which was a major cause for concern on account of the high rate of early pregnancy in the State party. She requested the delegation to comment on those reports. Furthermore, noting that the spread of HIV/AIDS was a growing problem in Viet Nam, she enquired as to the general prevalence of the condition among women, the main causes of infection and the forms of treatment prescribed. Lastly, she noted with concern that the onus for using contraception tended to fall on women, not on men. She asked whether the State party had taken steps to promote the use of contraception as a part of safe sexual relations as opposed to simply a means of preventing pregnancy.

The meeting rose at 1 p.m.

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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women
Sixty-first session

Summary record (partial)* of the 1314th meeting
Held at the Palais des Nations, Geneva, on Friday, 10 July 2015, at 3 p.m.

Chairperson: Ms. Hayashi

Contents

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Combined seventh and eighth periodic reports of Viet Nam (continued)

* No summary record was prepared for the rest of the meeting.

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of the present document* to the English Translation Section, room E.6040, Palais des Nations, Geneva (trad_sec_eng@unog.ch).

Any corrections to the records of the public meetings held during this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Combined seventh and eighth periodic reports of Viet Nam (continued) (CEDAW/C/VNM/7-8; CEDAW/C/VNM/Q/7-8 and Add.1)

1. *At the invitation of the Chairperson, the delegation of Viet Nam took places at the Committee table.*

Articles 10 to 14

2. **Mr. Tran** Kim Tu (Viet Nam) said that his Government was making changes to Vietnamese textbooks, based on a gender assessment that had revealed a number of problems, including stereotypes and an uneven gender balance. The Government had allocated sufficient resources for the appropriate revision of textbook content, including the elimination of stereotyped concepts, with a total of approximately US$ 40 million for research, assessment, evaluation and monitoring.

3. Regarding education beyond the areas traditionally chosen by women such as cooking and tailoring, assumptions that many of the Government's programmes, were exclusively for women were incorrect. Men also took part in those programmes.

4. The literacy rate of ethnic minority women between the ages of 15 and 60 was 98.2 per cent. The Government had established a national programme to eradicate illiteracy, targeting vulnerable groups, disadvantaged groups, including ethnic minorities, and women and girls, and it had allocated adequate funding to that programme. It had also published textbooks in a number of ethnic minority languages, but had found it difficult to do so for those without commonly used written scripts.

5. The Government was trying to promote sex education so that girls who became pregnant did not drop out of school; schoolgirls who became pregnant were not forced to drop out.

6. **Ms. Pham** Thanh Binh (Viet Nam) said that the maternal mortality rate was three time higher in rural areas than in other parts of the country. The reasons were, firstly, that medical staff in the districts, villages and municipalities (*communes*) in mountainous areas were not sufficiently qualified; there were not enough obstetricians, for example. There was also a shortage of nurses and other health-care workers; only 32 per cent of villages in mountainous and remote regions had midwives, and only 50 per cent of those midwives received public funding. Secondly, there were insufficient resources for health care at the village level. Only some 80 per cent of the districts in mountainous areas were able to perform childbirth operations, and many lacked the capacity to deal adequately with such complications as post-partum haemorrhage, for example.

7. In order to tackle those problems, the Government was adopting the following measures: it would establish satellite hospitals in 33 provinces and train nurses and midwives for work in those areas. Further into the future, it would develop policies to attract doctors to remote and mountainous areas, it would have to increase the number of obstetricians, and it would have to change people's awareness about safe motherhood, particularly in the mountainous areas. A temporary measure used for vulnerable groups in the mountainous areas was to have midwives at the village level, because transport and travel were difficult in those areas, and women tended to give birth at home rather than in health-care centres; hence the Government was training village-level midwives so that they could help mothers give birth at home. The Ministry of Health had introduced clean delivery kits that provided the equipment needed for mothers to give birth safely at home. There were policies that provided for

public funding for midwives at the village level, but many provinces did not have the resources to be able to offer adequate support, and such support could be given to only 80 per cent of the midwives in remote areas. There were capacity-building projects for health-care workers at village level, and the Ministry of Health would soon ask the Government to provide enough infrastructure, and resources for training and facility maintenance. In order to ensure safe motherhood, the Ministry of Health was asking the Government to invest more in facilities and medicines through different projects under a national target programme.

8. Recent statistics had indicated that there were 300,000 to 400,000 abortions per year; there had been a reduction from 0.3 per cent in 2005 to 0.27 per cent in 2011. The Ministry of Health was trying to bring down the abortion rate still further by 2020, that being an objective of the National Target Programme on Population and Family Planning. It was intensifying public awareness-raising efforts to bring about behavioural change, encouraging people to use modern contraceptive methods. It also ran family planning campaigns directed mainly at young adults; distributed contraceptives at the community level; strengthened family planning programmes in order to reduce unwanted pregnancies; offered sex education in schools; ran an education programme on reproductive health; provided a young adult-friendly health-care service; and worked to improve services for safe abortions. The Ministry of Health would be advocating for adequate resources for birth control methods and devices and more comprehensive sex education, making it compulsory at school.

9. Turning to the issue of HIV/AIDS prevention, as of 30 May 2014, there had been 200,114 cases of HIV/AIDS, and more than 74,000 individuals had died of the disease. The number of new cases had fallen over the past seven years but was still high, at about 14,000 per year, on account of unsafe sex, intravenous drug use and sex work. A small-scale survey conducted in 2014 showed that sex workers and women with HIV faced higher rates of discrimination than men with HIV. To tackle the problem, the Government would focus on outreach efforts to bring about behavioural change. It had taken measures to prevent the transmission of HIV, including HIV tests and antiretroviral therapy, and it would provide antiretroviral therapy to pregnant and breast-feeding mothers, and to the spouses of persons living with HIV.

10. With regard to the issue of birth control, the Government believed that efforts should focus on awareness-raising about reproductive and sexual health, directed at girls and young women. It was implementing a national strategy on reproductive health for the period up to 2020. Reproductive health was also addressed in a strategy on youth and development that the Prime Minister had devised. The Government had developed a national plan on health-care protection for young people, and had improved education and communication campaigns aiming to improve young people's health. The plan had been implemented in 39 provinces to date, and was being extended throughout the country. A number of youth-friendly clubs and centres were organized under the plan that provided information and counselling and other health-care services for young people. The Government was also working with non-governmental organizations (NGOs) to implement communication strategies, bring about behavioural change, and educate young people on reproductive health care.

11. **Mr. Doan** Mau Diep (Viet Nam), referring to questions on employment, said that paid maternity leave had been extended from four to six months, during which time mothers of newborns were eligible for social insurance. The Government encouraged employees to take the full six months' leave so that they could take better care of their baby, and breast-feed for six months, as recommended by UNICEF. Some employees wished to go back to work earlier, but that was not encouraged, and the Government had launched awareness-raising campaigns informing female employees that it was

better to take the full six months of leave. It had also mobilized social organizations and the mothers' families to encourage mothers to take the full six months.

12. A gender pay gap existed and, although it was closing, much remained to be done to close it further. It was necessary to help female employees fulfil their obligations, ensure that employers paid fair wages and highlight the role of trade unions in preventing wage discrimination; it was also necessary for the Government to play the role of inspector, and oversee labour matters. Discrimination occurred during recruitment as well. Some employers' regulations stipulated, for example, that employees must not have babies during the period of their contract; such stipulations were against the law. The Government was working with trade unions to ensure that employers would not put in place such regulations.

13. With regard to women in the informal sector, the law, including the Labour Code, stipulated that jobs in both the informal and formal sectors were viewed as employment. The Government encouraged social insurance on a voluntary basis for employees in the informal sector, helped informal sector employees participate in such insurance and provided assistance so that they could work under safe conditions and benefit from occupational health.

14. There were other national programmes on employment, in which most of the budget had been earmarked for workers in the informal sector. Training was available for workers in rural areas, and most of the beneficiaries were informal sector employees. Some 60 to 67 per cent of the workforce worked in the informal sector, and the Government was making concerted efforts to extend the coverage of the law to those areas.

15. The International Labour Organization (ILO) had recommended that the Government raise the retirement age for men and women, but that was difficult, because it was necessary to have consensus from the employees themselves. A survey on the subject had found that about 80 per cent of women employees did not want to raise the retirement age to 60, equal to that of men. Even in the National Assembly, few voices supported raising the retirement age. However, the National Assembly had passed a resolution that would give employees the flexibility to choose either a lump sum payment or a monthly pension, and it had asked the Government to study the possibility of raising the retirement age on an incremental basis, leading eventually to men and women retiring at the same age. The list of prohibited jobs for women, which had been established in the 1970s, had since been shortened.

16. The Labour Code dealt with sexual harassment. The Ministry of Labour, Invalids and Social Affairs had recently worked with ILO to issue a workplace code of conduct for sexual harassment, which had been endorsed by employers and employees. However, it was currently being revised, following suggestions that it be made compatible with the culture of Viet Nam. By the end of year, the Government would take stock of its implementation, and devise possible sanctions for serious cases.

17. With regard to migrant workers from other areas of the country, the Government had instructed local authorities to take various measures, such as encouraging employers in industrial zones to build childcare centres, and many employers had done so. It used to be the case that persons were covered by social insurance only in the town of their place of residence, but this had changed. In the long run there would be no restrictions preventing migrant workers from accessing basic services in other areas of the country, including childcare, health care and education.

18. With regard to domestic workers, who were vulnerable in various ways, the Government had submitted a draft decree governing matters including their working conditions and paid leave. However, supervision by the community was necessary to ensure that its provisions would be carried out; moreover, domestic workers could

form associations to protect their rights. Domestic workers were the new target group in the Government's decree, but that group's rights would be better promoted with appropriate reporting and monitoring mechanisms.

19. **Ms. Haidar** said that she would welcome information on the budget for the implementation of the plan of action, and on the monitoring and evaluation of other objectives listed in that plan. The rate at which girls were dropping out of school was high. Most girls left school to help their families with housework and care work, and in some cases because of their economic situation and inability to pay for tuition. Would these aspects of school abandonment be taken into account in remedial measures? She would welcome further information on how the problems of adolescent pregnancy and child marriage would be tackled. It was necessary to improve the collection and analysis of sex-disaggregated data throughout the education sector so as to be able to measure progress; how did the Government intend to address that?

20. **Ms. Arocha Domínguez** underscored the negative effects of gender stereotyping on women's health and requested more information on the stigmatization of women with HIV/AIDS and of prostitution. She was concerned at prevailing attitudes according to which a boy child was preferable to a girl and asked what measures had been adopted to prevent pre-birth gender identification in hospitals and especially in private clinics. Sexual education should be provided not only to girls and young women but also to boys and young men, who shared the responsibility for preventing unwanted pregnancies. Boys and men should also be educated to assume a greater role in the home and in the care of children.

21. **Ms. Patten**, with regard to article 11 of the Convention, on employment, enquired whether the State party had any plans to review the legal situation of guest workers, including those with contracts abroad. She said that she also wondered whether any mechanisms existed to monitor recruiting agencies and the working conditions and contract terms they offered to guest workers and whether migrant workers and their families had access to all social services, including health care, in particular sexual and reproductive health care. The State party should take steps to eliminate the gender pay gap and work with social partners to ensure that women had equal remuneration for work of equal value. The lack of job opportunities in the formal sector was forcing women to work in the informal sector, where they were more vulnerable because they did not have social security coverage or insurance and were not covered by the Labour Code. She wondered how the State party intended to remedy that situation.

22. **Mr. Tran** Kim Tu (Viet Nam) said that under the Education Sector Action Plan funds had been allocated for the preparation of new textbooks that would eliminate gender stereotypes, although no review of those new materials had as yet been undertaken. With regard to the previously high dropout rates for girls, he was pleased to report that currently some 98 per cent of girls attended school, more than double the figure for 2010; in 2014–2015 more than 3 million girls had attended school. Currently, at the primary level, 3.6 million of the 7.7 million pupils were girls.

23. Sexual education was being mainstreamed in the schools to inform students about the importance of avoiding unwanted pregnancies. If a girl did become pregnant she was provided with assistance and support and encouraged to return to school and continue her studies. He noted that girls were more likely to leave school than boys for economic reasons, because they were needed to help at home. Changing such attitudes would be an important part of the reforms to the education sector.

24. **Mr. Doan** Mau Diep (Viet Nam) said that according to the most recent statistics, in 2014 nearly 10 per cent of children aged 5 to 17 were working, a figure similar to other countries and in fact lower than in most developing countries according to ILO

statistics. His Government was cooperating with the United States Agency for International Development (USAID) to reduce and eliminate child labour, in particular in the 5–11 age group. Eight million dollars had been allocated for those efforts.

25. With a view to keeping children in school, a pilot programme had been launched to provide parents with grants if their children attended school; that programme would be extended to the entire country. In mountainous regions families received up to 15 kilograms of rice as well as cash incentives for ensuring that their children, both boys and girls, attended school. He expected that dropout rates would therefore continue to fall, in particular for girls.

26. **Ms. Pham** Thanh Binh (Viet Nam) said that, although her Government did have programmes to prevent the stigmatization of sex workers and persons living with HIV/AIDS, that stigma continued to exist, and to a greater extent for women than men. The State party would continue to increase public awareness of those issues with a view to eliminating discriminatory attitudes, in particular with regard to women. Information campaigns would explain how HIV was transmitted, highlight the negative effect of stigmatization on the persons concerned and explain that HIV was not a social vice and that infected persons were not bad people. Former sex workers had been recruited to work with sex workers to inform them on how to protect themselves, for example by using condoms to reduce the spread of sexually transmitted infections.

27. **Mr. Doan** Mau Diep (Viet Nam) said that while there might be some difference in attitudes towards women and men prostitutes, prostitution in general was considered to be an undesirable activity that no one should practise. As for pre-birth gender selection, he said that foetal sex selection was prohibited but it was difficult to monitor and punish that practice, in particular in private clinics. More would be done to educate doctors in the public and private health-care systems about the need to eliminate gender selection but it would take time to change attitudes. More must likewise be done to stress with the public that the birth of any child, boy or girl, was a cause for joy.

28. **Ms. Phan** Thanh Binh (Viet Nam) said that, in order to prevent gender selection and correct the gender imbalance at birth, her Government, in consultation and cooperation with the People's Committees and the Viet Nam Fatherland Front, intended to introduce measures to strengthen supervision of private hospitals.

29. **Mr. Nguyen** Van Binh (Viet Nam) said that the situation of migrant workers was currently under review by the National Assembly. He emphasized that there was an accreditation process for recruitment agencies, which had to provide job seekers with information on procedures, fees and wages so that workers could make an informed choice of where they wished to work. Lists of accredited agencies were made available by local authorities. Furthermore, a hotline had been established for the reporting of any abuses.

30. Migrant workers were not subject to any administrative obstacles; they were free to work anywhere and for any employer. Internal migrant workers could register their residency and their children would be entitled to attend school in their place of residency, with more places in childcare centres and schools opened as needed. Migrant children also had access to health care wherever they resided and the parents could subscribe to health insurance to ensure access to health care and social services. In some cases migrant workers might have to pay higher utility charges because those were determined by their landlord.

31. He stressed that, in accordance with article 63 of the Constitution, women were entitled to equal pay for equal work but acknowledged that given the lack of employment opportunities some employers were able to impose unfavourable working

conditions, especially for women workers. There were civil society organizations that tried to help such workers assert their rights and local organizations provided assistance to them but much remained to be done to improve their lot.

32. **Ms. Pomeranzi**, with regard to article 13, said that despite the great economic and social progress in Viet Nam women continued to face economic and social discrimination and lack of employment opportunities in the private sector. She was concerned that the vast majority of workers in both the agricultural and non-agricultural informal sectors were women and enquired what measures were planned to assist women, including older women, in the informal sector, with regard to social protection, transition to the formal labour market and entrepreneurship.

33. It was often difficult for women to achieve financial independence because they did not have any experience in preparing the business plans that banks required for the granting of credit. Although the report indicated a number of programmes aimed at facilitating women's access to credit, she asked for more information on such programmes, the amounts involved and what percentage of the national budget they represented. She wondered if the State party envisaged measures, in cooperation with NGOs and civil society groups, to assist vulnerable women, including those from the most disadvantaged communities, for example ethnic minority women who found themselves in situations tantamount to slavery as they worked to pay off high levels of debt.

34. **Ms. Acosta Vargas** said that economic growth could have an effect on the social and economic situation of women. Given the high rate of internal migration to urban areas, women currently made up 70 per cent of the agricultural workforce and she asked what steps had been taken to eliminate gender stereotypes by providing them with training and strengthening their role in decision-making in the agricultural sector at the local, regional and national levels.

35. Although the 2013 Land Law required that land-use certificates be issued in the names of both spouses, she wondered what percentage of certificates actually did so, what would be the situation of a widow if her name was not listed and how many certificates showed a single woman as sole user. She asked if there was any follow-up mechanism to the Land Law to ensure that all certificates were in conformity with the Law and if there was any mechanism for the resolution of disputes relating to land use. Ethnic minority women were often not included in land-use certificates and she asked whether the Land Law had been translated into minority languages and widely disseminated. More information should also be provided on measures to increase women's access to microcredit and bank loans.

36. She took note of the State party's commitment to increase efforts to communicate information about policies to ethnic minorities in all languages. She wondered whether the 2013 Constitution and other national laws that had incorporated the provisions of the Convention would be widely disseminated, in particular with a view to raising women's awareness of their right to seek redress if their rights were violated. She also asked whether the promotion of women's rights was being approached in an intercultural manner involving all rights and all groups.

37. **Mr. Dang** Van Nghi (Viet Nam) said that his Government had made it a priority to facilitate poor women's access to credit; significant resources had been allocated to credit programmes in general and were disbursed without regard to the gender of the applicant. A loan scheme had been launched to help poor households, which also had access to financial assistance through the Viet Nam Women's Union and the National Fund for Employment. He pointed out that unlike the situation with banks, applicants for government credit assistance did not have to submit a financial plan.

38. Temporary special measures had likewise been implemented to improve the situation of women heads of household, for example the fund for assisting poor women; all requests for assistance from women heads of households had been approved. He did not know what proportion of the national budget those efforts represented but he said that US$ 2 million would be disbursed in 2015; 2.4 million households had received assistance from credit programmes in 2011–2015, helping lift 1.1 million of them out of poverty. The National Fund for Employment currently had over 337,000 clients and had helped more than 600,000 people find jobs.

39. **Mr. Pham** Ngoc Tien (Viet Nam) said that a series of measures had been taken to facilitate rural women's access to the formal labour market, including the introduction of a vocational training programme and tailored credit and loan facilities. Special measures had also been developed for rural women from ethnic minority backgrounds and careers advice had been offered in partnership with NGOs in the main national minority languages. As to property ownership, land-use certificates were issued in both spouses' names in the case of married couples. Single or widowed women could apply for land-use certificates in their own name as long as they could provide the necessary documentary evidence of their rightful claim to the land or property in question.

40. **Ms. Pomeranzi** asked whether the State party had devised a specific national policy to support the economic development of women and, if so, what proportion of the national budget had been allocated for its implementation. She also wished to know whether NGOs played an active role in facilitating women's access to credit.

41. **Ms. Acosta Vargas** said that she would like information disaggregated by marital status on the number of women who had been able to obtain land-use certificates in their own name. She also wished to know what complaint and dispute resolution mechanisms were available to women under the 2003 Land Law and whether awareness-raising campaigns had been conducted to inform women of their land-use and property rights.

42. **Ms. Zou** Xiaoqiao asked what mechanisms had been introduced to monitor the implementation of the Land Law. She also wished to know whether policies and strategies had been developed to tackle climate change and natural disasters which took into account the specific needs of rural women and included a gender perspective.

43. **Mr. Doan** Mau Diep (Viet Nam) said that the Government had introduced many national credit schemes for women and worked in close partnership with NGOs to identify the groups of women most in need of assistance. It was impossible to provide an exact figure of the total amount of the national budget allocated to facilitating women's access to loans, as the amount fluctuated so frequently. For example, however, the National Employment Fund had disbursed over US$ 400 million worth of loans to women since its inception in the late 1990s. Regarding women's land-use and property rights, the Government provided vocational training and financial compensation to women whose land had been expropriated and had established a comprehensive monitoring mechanism to ensure the effective de facto implementation of the amended Land Law.

44. **Mr. Bach** Quoc An (Viet Nam) said that the Marriage and Family Law clearly stated that land and property accumulated during the course of marriage was considered as the common assets of both spouses, regardless of whether the wife's name appeared on the land-use certificate, and the wife's signature was required in the event of any transfer of land-use rights.

45. **Mr. Doan** Mau Diep (Viet Nam) said that the Government had developed comprehensive policies and strategies to tackle climate change and natural disasters

which took account of the needs of all members of society, including women and children. The delegation would provide written replies regarding the scope of those activities at a later date.

46. **Ms. Leinarte** asked whether the Government intended to repeal the negative gender stereotypes contained in the Marriage and Family Law, particularly in regard to parental responsibilities, and ensure that the minimum legal age for marriage was set at 18 years for both men and women, as previously recommended by the Committee. She also wished to know what measures had been taken to clarify the application of customary law and the provision of property certificates to facilitate division of property and ensure that women benefited from the same inheritance rights as men. In addition, she asked whether national legislation provided for recognition of same-sex relationships and contained measures on division of property for couples in de facto relationships. Similarly, she asked whether the Government had introduced mechanisms to monitor the implementation of the Marriage and Family Law, including the prevention of child marriage, in particular in remote and rural areas where the practice remained widespread. Lastly, she asked whether the Government intended to remove the penalties imposed on couples who failed to adhere to the national two-child policy and amend the National Population and Reproductive Health Strategy for the period 2011–2020 so that it supported the right of individuals or couples to decide on the timing, number and spacing of their children.

47. **Mr. Bach** Quoc An (Viet Nam) said that articles 16 and 17 of the Marriage and Family Law granted equal rights to men and women in all aspects of life, including in respect of property ownership, employment and parental responsibility. The amended Civil Code also afforded women equal inheritance rights on the same basis as men. However, more work would be required to tackle the prevailing discriminatory gender stereotypes and move towards the effective de facto implementation of both pieces of legislation. The Government had recently submitted a proposal to the National Assembly to set the minimum age for marriage at 18 for both men and women, which had been rejected by majority vote on the basis that the national average age for a first marriage was consistently higher than the minimum age provided for by law. Steps had, however, been taken to amend the Criminal Code to strengthen the penalties for early and forced marriage and to increase the number of awareness-raising and education campaigns to combat those practices. As to the application of customary law, he stressed that customary traditions and practices in the country were not accepted as law under any circumstance.

48. **Mr. Doan** Mau Diep (Viet Nam) said that the two-child policy had worked well since its introduction in the 1970s. The Government was in the process of revising its National Population and Reproductive Health Strategy and intended to conduct in-depth public consultations on the matter before drafting the final version of the text.

49. **The Chairperson** thanked the delegation of Viet Nam for the fruitful dialogue with the Committee. The Committee commended the State party for its efforts and encouraged it to take all necessary measures to fully implement the Convention for the benefit of all women and girls in the country.

50. **Mr. Doan** Mau Diep (Viet Nam) thanked the Committee members for their insightful comments and recommendations. He said that the Government remained committed to implementing the Convention and would strive to build an equal and fair society for all Vietnamese women and girls.

The discussion covered in the summary record ended at 5 p.m.